

DANIEL G. BOGDEN
United States Attorney
KIMBERLY FRAYN
Assistant United States Attorney
333 Las Vegas Blvd South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336

UNITED STATES DISTRICT COURT
District of Nevada

UNITED STATES OF AMERICA,)
Plaintiff,)
)
 v.)
)
Robert KEPHART)
Defendant)

Case No. 2:12-CR-83-APG-GWF-5

PETITION FOR ACTION
ON CONDITIONS OF
PRETRIAL RELEASE

Attached hereto and expressly incorporated herein is a Petition for Action on Conditions of Pretrial Release concerning the above-named defendant prepared by Samira A. Barlow, Pretrial Services Officer. I have reviewed that Petition and believe there is sufficient credible evidence which can be presented to the Court to prove the conduct alleged, and I concur in the recommended action requested of the Court.

Dated this 31st day of July, 2013.

DANIEL G. BOGDEN
United States Attorney

By /S/
Kimberly Frayn
Assistant U. S. Attorney

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF NEVADA**

U.S.A. vs. Robert KEPHART

Docket No. 2:12-CR-83-APG-GWF-5

Petition for Action on Conditions of Pretrial Release

COMES NOW Samira A. Barlow, UNITED STATES PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Robert Kephart, who was placed under pretrial release supervision by Your Honor in the Court at Las Vegas, Nevada, on September 18, 2012, on a Personal Recognizance Bond with the following conditions:

1. Pretrial Services supervision.
2. Maintain or actively seek employment. Notify Pretrial Services prior to any change.
3. Travel is restricted to Clark County, Nevada unless approved by Pretrial Services.
4. Avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to co-defendants included in case numbers 2:12-CR-004 and 2:12-CR-84.
5. Maintain residence at the halfway house or community correction center, and pay cost as deemed appropriate.
6. Refrain from the use or unlawful possession of a narcotic drug or other controlled substances.
7. Not be in the presence of anyone using or possessing a narcotic drug or other controlled substances.
8. Submit to any method of testing required by Pretrial Services.
9. Shall not use any identifiers, access devices, or accounts unless under true name.
10. Prohibited from having access to computers or connecting devices (PDA's, Cell Phones, Playstations, etc.) at home or employment which as internet access, Instant Messaging, IRC Servers, and the World Wide Web.

On October 3, 2012, the defendant's conditions of release were modified by Your Honor to remove the condition that the defendant maintain residence at the halfway house and pay associated costs. On the same date, the defendant's conditions of release were amended to add the following:

1. Travel restricted to California and Nevada for court purposes only unless pre-approved by Pretrial Services.
2. Maintain approved residence and not move without prior approval from Pretrial Services.

On April 17, 2013, the defendant's conditions of release were modified adding:

1. Refrain from the use of alcohol.
2. Alcohol testing and pay cost based upon ability.

Respectfully presenting Petition for Action of Court and for cause as follows:

1. On July 16, 2013, the defendant submitted to a urinalysis, which tested positive for cocaine.

PRAYING THAT THE COURT WILL ORDER THAT A SUMMONS BE ISSUED BASED UPON THE ALLEGATIONS OUTLINED ABOVE. FURTHER, THAT A HEARING BE SET TO SHOW CAUSE WHY PRETRIAL RELEASE SHOULD NOT BE REVOKED.

ORDER OF COURT

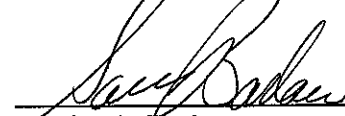
Considered and ordered this 2nd day of ~~July~~ August 2013, and ordered filed and made a part of the records in the above case.



Honorable Cam Ferenbach
United States Magistrate Judge

I declare under penalty of perjury that the information herein is true and correct.
Executed on this 31st day of July 2013.

Respectfully Submitted,



Samira A. Barlow
United States Pretrial Services Officer

ED

Place: Las Vegas, Nevada